

REMARKS

In view of the above amendments and the following remarks, reconsideration and withdrawal of the objections and rejections set forth in the Office Action of September 9, 2004, are earnestly solicited.

Claims 1 and 13 have been amended to clarify Applicants' invention: Claims 1—17 remain pending in the application.

Claims 1—3, 7, 8 and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Engle—U.S. Patent No. 6,467,507. the rejection is respectfully traversed.

Claim 1 calls for an adjustably moveable damper on the hose. This clearly distinguishes the invention from the fixed clamp member of Engle. Claim 1 and its dependent Claim 2—3, 7—8 and 10 are therefore believed to be in condition for allowance over Engle.

Claims 1—4, 7 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Oppertausser—U.S. Patent No. 3,370,815. The rejection is respectfully traversed.

As with Engle, Oppertausser teaches a fixed clamping element, not an adjustably moveable damper as called for in independent Claim 1. Therefore, Claim 1 and its dependent Claims 2—4, 7 and 10 are believed allowable over Oppertausser.

Claims 5, 6, 9 and 11—17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Oppertausser. The rejection is respectfully traversed. (Claim 12 was added to this rejection per a telephone conference between the Examiner and Applicants' undersigned representative on September 17, 2004).

Claims 5, 6, 9 and 11—12 depend from Claim 1 and are therefore believed to be in condition for allowance for the reasons set forth above with respect to Claim 1.

Method Claim 13 now calls for providing a mass damper adjustably moveable on the hose between its ends. This is not suggested by the fixed clamps of the art of record. Claim 13 and its depending Claims 14—17 are therefore believed to be in condition for allowance.

Claims 1 and 13, as amended herein, and Claims 2—12 and 14—17, as originally submitted are believed to be in condition for allowance, early acknowledgment of which is requested.

Respectfully submitted,

Dated: December 9, 2004

By: 

Gordon K. Harris, Jr., Reg. No. 28,615
HARNESSE, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

Attorney for Applicants

Ralph E. Smith
CIMS 483-02-19
DaimlerChrysler Intellectual Capital Corporation
DaimlerChrysler Technology Center
800 Chrysler Drive
Auburn Hills, MI 48326-2757
248-944-6519